Children's Products Containing Lead/ Lead Paint Rule

Section 101 of the Consumer Product Safety

Improvement Act ("CPSIA")

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Lead Timeline

- Lead Content
 - **600 ppm** limit 2/10/09
 - **300 ppm** limit 8/14/09
 - 100 ppm limit possible 8/14/11 if technologically feasible

- Lead Paint
 - **90 ppm** limit 8/14/09

Lead Content Exclusion Rules

- •Inaccessibility: Rule defining product components or classes of components considered inaccessible/ reasonably foreseeable use and abuse. Paint, coatings or electroplating do not qualify as a barrier for inaccessibility. Mandated By Statute
- •HRA Exclusion: Product or material that CPSC determines with **no absorption of lead in the body** under reasonably foreseeable use and abuse or have any other adverse impact on public health or safety.
- •Electronic Devices: Rule issuing requirements to eliminate or minimize accessibility of lead & compliance schedule.

Children's Products Components?



What is a part for purposes of calculating the lead content?

.... the lead limit referred to in paragraph (1) is 600 parts per million *total lead* content by weight for any part of the product.

What is a "Children's Product"?

- Children's Product consumer product designed or intended primarily for children 12 years of age or younger-
- A statement by a manufacturer about the intended use of such product, including a label on such product if such statement is reasonable.
- Whether the product is represented in its packaging, display, promotion, or advertising as appropriate for use by children 12 years of age or younger.
- Whether the product is commonly recognized by consumers as being intended for use by a child 12 years of age or younger.
- The Age Determination Guidelines issued by the Commission staff in September 2002, and any successor to such guidelines.

LEAD Testing Issues

- Which products or components have lead content more than 600 ppm, or 300 ppm, or 100 ppm?
- Which lead-containing components are inaccessible?
- What defines inaccessibility for products for children within different age groups through age 12 years?
- What test methods may be used to assess inaccessibility?
- What products already comply with other standards or regulations for lead content?
- For electronic devices: Is it technologically feasible to meet the lead content limits and timetable?

Accessibility Issues

- Small Parts Regulation (16 CFR 1501, et. seq.) has been consistently recognized by the CPSC as an effective test protocol for assessing accessible small parts capable of being mouthed by the child population most likely to be at risk of ingestion. Such regulations provide a reliable method for simulating use and abuse of toys and other articles intended for use by young children. These should also be acceptable criteria to determine accessible component parts.
- CPSC can also rely upon existing regulations and test protocols to determine accessibility of component parts. Under existing protocols certain accessibility probes are routinely employed to make such determinations (See 16 CFR 1500.48 and 1500.49), both before and after various applicable use and abuse testing (see in 16 CFR 1500.50-53), which is dependent upon the age range of children likely to use the products.

Material Exclusions

Lead (Pb) in certain materials/applications is technically impracticable, not likely to be absorbed into the bloodstream, does not present a health hazard:

- -Lead in alloys like steel, copper, and aluminium (substitution would be likely to outweigh consumer safety benefits).
- Lead used in compliant pin connector systems.
- Lead in bronze bearings and bushings.
- -Ball Point Pens.
- -LHAMA Compliant products
- -Metallic/Ceramic components that do not have potential for ingestion.
- Gemstones.
- Certain textiles

Stds. Exclusions

- 16 CFR 1303 Lead Paint Std.printing inks or materials which actually become a part of the substrate, such as the pigment in a plastic article, or those materials which are actually bonded to the substrate, such as by electroplating or ceramic glazing, are excluded from the lead paint limit.
- Craft items and art materials as those terms are defined under LHAMA provisions in the amended Federal hazardous Substances Act (FHSA❖) (15 U.S.C. 1261 et seq. and see 16 CFR 1500.14(b)(8)) should be excepted (CPSIA Section 102 already provides for safe harbor treatment of such LHAMA compliant product).
- RoHS Compliant Electronic Devices & Components

Stds. Exclusions

- EN71-3 EU Toy Safety Directive
 - 3.1.1 Digest (wet ash) the prepared samples in nitric acid or a mixture of nitric, sulfuric and hydrochloric acids. Measure the total concentration of lead (Pb) by GFAA, ICP or ICPMS.
 - 3.2 Sample removal/preparation procedure Total 3.2.1 Polymeric and similar materials – see EN71-3 Section 8.2.13.2.2

Paper and paperboard – see EN71-3, Section 8.3.1 Paragraphs 1 and 23.2.3

Textiles, whether natural or synthetic – see EN71-3, Section 8.4.13.2.4

Pliable modeling clays and gels – see EN71-3, Section 8.8.1 Glass/Ceramic/Metallic materials – see EN71-3, Section 8.5.

Electronics Exclusions To Consider

- Computer chips, diodes or wiring which are a component part within a component part.
- European Union RoHS Directive 2002/95/EC compliant electronic devices or component parts
- Any current carrying electronic devices, components or parts (whether accessible or inaccessible).
- Certain connectors, screws and prongs that are machined (also called "turned →" parts or lathed) to a specific shape and size for use need to have lead in specific amounts in order to soften the metal being shaped.



• "Don't let the cute designs of these children's room humidifiers fool you. These humidifiers deliver clean moisture to your child's room. Healthy humidity levels are essential to a child's comfort and can help control allergies. Children's room humidifiers are a necessity for healthy living. Find a children's humidifier that's not only fun, but efficient! Select from a variety of cute, fun children's room humidifiers below!"







- Toothbrush 950TX The Incredibles Includes Two Year Manufacturer's Warranty
- Rechargeable Kids Toothbrush
- For Children 3+ Years Of Age
- High Speed Oscillating Technology
- 5,600 Oscillations Per Minute
- Clinically Proven Benefits vs.Manual Brushing
- Kid-Size Brushhead
- Water Resistant Handle
- EZtimer
- Compact Charger

